

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 9346

Application of:

Joseph M. Lindacher

Art Unit: 2876

Serial No.: 09/878,462

Examiner: D. Walsh

Filed: June 11, 2001

For: **METHODS AND APPARATUS FOR DETERMINING A POSITION
OF A ROTATING OPTICAL ELEMENT IN A BAR CODE SCANNER**

TERMINAL DISCLAIMER

Sir:

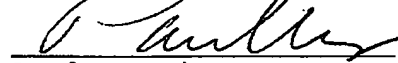
I, Paul W. Martin, Senior Attorney, NCR Corporation, Dayton, Ohio, represent that NCR Corporation is the assignee and the exclusive owner of the entire right, title and interest of, in and to application Serial No. 09/878,462 filed on June 11, 2001, for METHODS AND APPARATUS FOR DETERMINING A POSITION OF A ROTATING OPTICAL ELEMENT IN A BAR CODE SCANNER as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel No. 011902, Frames 747-49.

NCR Corporation hereby disclaims the terminal part of any patent granted on the above-identified application. This terminal disclaimer applies to any patent granted on the above-identified application which would extend beyond the expiration dates of U.S. Patent No. 6,454,169, issued September 24, 2002, and also assigned to and owned by NCR Corporation as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel No. 011915, Frames 440-42, or on any application which is entitled to the benefit of the filing date of this application under 35 U.S.C. §120, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only

for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,454,169, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

The fee required by 37 C.F.R. 1.20(d) should be charged to NCR Corporation, Dayton, Ohio, Deposit Account No. 14-0225.

Respectfully submitted,



Paul Martin
Attorney for Applicant
(937) 445-2990

Dayton, OH